

IC 4-15-1.8

Chapter 1.8. State Personnel Department

IC 4-15-1.8-1

Definitions

Sec. 1. Definitions. As used in this chapter, the term:

"Department" refers to the state personnel department established in section 2 of this chapter.

"Director" refers to the state personnel director.

"State agency" means an authority, board, branch, commission, committee, department, division, or other instrumentality of state government, but does not include:

- (1) a state educational institution as defined in IC 20-12-0.5-1;
- (2) a state elected official's office;
- (3) the legislative and judicial branches of state government; or
- (4) the state police department.

As added by Acts 1981, P.L.30, SEC.3. Amended by Acts 1982, P.L.23, SEC.7.

IC 4-15-1.8-2

Establishment

Sec. 2. Department Established. There is established a state personnel department.

As added by Acts 1981, P.L.30, SEC.3.

IC 4-15-1.8-3

Director

Sec. 3. Director. (a) The governor shall appoint a director who is responsible for administering the department.

(b) The director shall:

- (1) serve at the governor's pleasure;
- (2) have his compensation set by the state budget agency; and
- (3) if required by the governor, execute and furnish a bond conditioned upon:
 - (A) the faithful discharge and performance of the duties of the employment; and
 - (B) the accurate accounting of public funds that come into the director's control or custody.

As added by Acts 1981, P.L.30, SEC.3.

IC 4-15-1.8-4

Employees

Sec. 4. Employees. The director may hire qualified individuals to carry out the department's responsibilities, subject to the budget agency's approval under IC 4-12-1-13 and subject to IC 4-15-2 and the rules that implement it.

As added by Acts 1981, P.L.30, SEC.3. Amended by Acts 1982, P.L.23, SEC.8.

IC 4-15-1.8-5

Bond of employees

Sec. 5. Employee Bond. The director may require an employee or agent of the department to execute and furnish a bond conditioned upon:

- (A) the faithful discharge and performance of the duties of the employment; and
- (B) the accurate accounting of public funds that come into that employee's or agent's control or custody.

As added by Acts 1981, P.L.30, SEC.3.

IC 4-15-1.8-6**Powers**

Sec. 6. The department may do the following:

- (1) Acquire, sell, own, or lease property in the name of the state in order to carry out its responsibilities.
- (2) Adopt rules under IC 4-22-2 to carry out its responsibilities.
- (3) Adopt a seal.
- (4) Contract with persons outside the department to do those things that in the director's opinion cannot be adequately or efficiently handled by the department.
- (5) Sue and be sued.
- (6) Hire, with the approval of the attorney general, attorneys.
- (7) Administer oaths.
- (8) Take depositions.
- (9) Issue subpoenas.
- (10) Develop and implement a wellness program for state employees on state property.

As added by Acts 1981, P.L.30, SEC.3. Amended by P.L.32-1989, SEC.1.

IC 4-15-1.8-7**Duties**

Sec. 7. (a) The department shall do the following:

- (1) Develop personnel policies, methods, procedures, and standards for all state agencies.
- (2) Formulate, establish, and administer position classification plans and salary and wage schedules, all subject to final approval by the governor.
- (3) Allocate positions in the state agencies to their proper classifications.
- (4) Approve employees for transfer, demotion, promotion, suspension, layoff, and dismissal.
- (5) Rate employees' service.
- (6) Arrange with state agency heads for employee training.
- (7) Investigate the need for positions in the state agencies.
- (8) Promulgate and enforce personnel rules.
- (9) Make and administer examinations for employment and for promotions.
- (10) Maintain personnel records and a roster of the personnel of all state agencies.

- (11) Render personnel services to the political subdivisions of the state.
- (12) Investigate the operation of personnel policies in all state agencies.
- (13) Assist state agencies in the improvement of their personnel procedures.
- (14) Conduct a vigorous program of recruitment of qualified and able persons for the state agencies.
- (15) Advise the governor and the general assembly of legislation needed to improve the personnel system of this state.
- (16) Furnish any information and counsel requested by the governor or the general assembly.
- (17) Establish and administer an employee training and career advancement program.
- (18) Administer the state personnel law, IC 4-15-2.
- (19) Institute an employee awards system designed to encourage all state employees to submit suggestions that will reduce the costs or improve the quality of state agencies.
- (20) Survey the administrative organization and procedures, including personnel procedures, of all state agencies, and submit to the governor measures to secure greater efficiency and economy, to minimize the duplication of activities, and to effect better organization and procedures among state agencies.
- (21) Establish, implement, and maintain the state aggregate prescription drug purchasing program established under IC 16-47-1, as approved by the budget agency.

(b) Salary and wage schedules established by the department under subsection (a) must provide for the establishment of overtime policies, which must include the following:

- (1) Definition of overtime.
- (2) Determination of employees or classes eligible for overtime pay.
- (3) Procedures for authorization.
- (4) Methods of computation.
- (5) Procedures for payment.
- (6) A provision that there shall be no mandatory adjustments to an employee's established work schedule in order to avoid the payment of overtime.

(c) The state personnel advisory board shall advise the director and cooperate in the improvement of all the personnel policies of the state.

(d) The department shall establish programs of temporary appointment for employees of state agencies. A program established under this subsection must contain at least the following provisions:

- (1) A temporary appointment may not exceed one hundred eighty (180) working days in any twelve (12) month period.
- (2) The department may allow exceptions to the prohibition in subdivision (1) with the approval of the state budget agency.
- (3) A temporary appointment in an agency covered by IC 4-15-2 is governed by the procedures of that chapter.

(4) A temporary appointment does not constitute creditable service for purposes of the public employees' retirement program under IC 5-10.2 and IC 5-10.3. However, an employee who served in an intermittent form of temporary employment after June 30, 1986, and before July 1, 2003, shall receive creditable service for the period of temporary employment.

As added by Acts 1981, P.L.30, SEC.3. Amended by Acts 1982, P.L.23, SEC.9; P.L.12-1983, SEC.6; P.L.224-2003, SEC.39; P.L.50-2004, SEC.1.

Repealed

(Repealed by P.L.3-1989, SEC.20.)